

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Civil No. 3:09-cv-30201-MAP
)	
v.)	Judge Michael A. Ponsor
)	
FREDERICK F. FILIOS, individually and as)	
the Executor of the Estate of Louis A. Filios,)	
)	
Defendant.)	

Dismissal Order

Plaintiff United States of America and defendant Frederick F. Filios, individually and as the Executor of the Estate of Louis A. Filios, having notified this Court of the full payment of the federal income taxes, penalties, and interest at issue in this civil action, which this Court, on July 5, 2011, reduced to judgment against defendant Frederick F. Filios, as the Executor of the Estate of Louis A. Filios (and not in his individual capacity); and,

Plaintiff United States of America and defendant Frederick F. Filios, individually and as the Executor of the Estate of Louis A. Filios, having stipulated to the dismissal, with prejudice, of Count II of the Complaint, for fiduciary liability under 31 U.S.C. § 3713(b) against Frederick F. Filios, individually, for those liabilities, and to the termination of this action, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii),


IT IS THEREFORE DETERMINED, ADJUDICATED, AND DECREED THAT:

1. This Court's July 5, 2011 judgment is final;
2. Count II of the Complaint is hereby dismissed with prejudice; and,

3. This civil action is hereby terminated.

SO ORDERED, ADJUDGED, AND DECREED.

Dated: Feb. 6, 2013


Honorable Michael A. Ponsor
United States District Court Judge

SO STIPULATED.

United States of America, Plaintiff
By its Attorney

/s/ Nathan L. Strup
NATHAN L. STRUP
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Frederick F. Filios, individually and as
the Executor of the Estate of Louis A.
Filios, Defendant
By his Attorney

/s/ Brian Mahany
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